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LEH/EMR F. #2018R01259

U.S. Department of Justice

United States Attorney
Eastern District of New York

271 Cadman Plaza East Brooklyn, New York 11201

April 13, 2023

By E-mail

The Honorable LaShann DeArcy Hall United States District Judge Eastern District of New York United States Courthouse 225 Cadman Plaza East Brooklyn, New York 11201

Re: United States v. Joseph Harris

Criminal Docket No. 18-616 (LDH)

Dear Judge DeArcy Hall:

The government respectfully submits this supplemental letter in advance of sentencing in this case, which is scheduled for April 28, 2023 at 10:00 a.m.

On April 10, 2023, the Probation Department filed a second addendum to the Presentence Investigation Report in which the Probation Department indicated that a five-point enhancement should be added to the guidelines calculation under U.S.S.G. §4B1.5(b)(1). The government agrees with the Probation Department that the enhancement applies here. However, because the government did not include this enhancement in the plea agreement, the government maintains that a sentence within the Guidelines range set forth in the plea agreement of 360 to life would be appropriate and achieve the goals of 18 U.S.C. § 3553(a).

Respectfully submitted,

BREON PEACE United States Attorney

By:

/s/

Lauren Elbert Erin Reid Assistant U.S. Attorneys

(718) 254-7000

cc: Clerk of the Court (LDH) (by ECF)

Frank Nikolaidis, U.S. Probation Department (by e-mail)

Paula Notari, Esq. and Ezra Spilke, Esq. (by ECF)